

412 Rec'd PCT/PTO 20 MAR 2000

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PATENT
Attorney Docket No. 00537/161002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
M. A. Cawthorne et al.

EXAMINER: To be assigned
ART UNIT:

APPLICATION NO.: 09/423,684

FILED: November 10, 1999

INTERNATIONAL APPLICATION NO.
PCT/EP98/02999

INTERNATIONAL FILING DATE:
May 13, 1998

FOR: SOMATOSTATIN AND SOMATOSTATIN
AGONISTS FOR DECREASING BODY
WEIGHT



I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

Date of Deposit: March 15, 2000

Rose Lee Modano

____ Rose Lee Modano ____

Hon. Assistant Commissioner of Patents
Washington, D.C. 20231


TRANSMITTAL LETTER AND AUTHORIZATION TO PAY FEE

Sir:

Transmitted herewith is a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) with a Certificate of Mailing; an executed Declaration and Power of Attorney with a Certificate of Mailing; a Petition for Extension of Time under 37 C.F.R. 1.136(a) (2 copies); and an acknowledgment postcard.

The Assistant Commissioner is hereby authorized to charge the amount of \$130.00, due under 37 C.F.R. 1.16(e) for filing a signed Declaration after the filing date of the above-identified application, to Deposit Account No. 50-0590. Further, the Assistant Commissioner is hereby authorized to charge any other fee due, or to credit any overpayment, to Deposit Account No. 50-0590. Two copies of this letter are enclosed.

Date: 15-Mar-2010

Respectfully Submitted,


Brian R. Morrill
Attorney for Applicants
Reg. No. 42,908

Biomeasure Inc.
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): M. A. Cawthorne et al.

Docket No.

00537/161002

Serial No.

09/423,684

Filing Date

November 10, 1999

Examiner

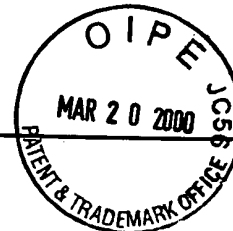
To be assigned

Group Art Unit

To be assigned

Invention:

SOMATOSTATIN AND SOMATOSTATIN AGONISTS FOR DECREASING BODY WEIGHT

I hereby certify that this Notification of Missing Requirements Under 35 U.S.C. 371

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

March 15, 2000

(Date)

Rose Lee Modano

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

09/43684

09/423,684



CAWTHORNE

 Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

M

00537/161002

ATTY. DOCKET NO.

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 225 FRANKLIN STREET
 BOSTON MA 02110

 PCT/EP/90/03999
 INTERNATIONAL APPLICATION NO.

 I.A. FILING DATE: 05/13/90
 PRIORITY DATE: 05/13/97

DATE MAILED:

01/28/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495),
☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☐ a non-English language.
☒ English.

- ☐ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed Nov. 10, 1999 and
☐ Information Disclosure Statement(s) filed _____ and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☒ Verified Statement Claiming Small Entity Status.
☒ Priority Document.
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

- ☐ PCT/DO/EO/917
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

☐ Notice of Defective Translation
 Docketed By Billing Secretary
 Due Date: 2/28/2000
 Deadline: 7/28/2000
 Telephone: 703-208-9116

RECEIVED

4-4 03 2000

FISH & RICHARDSON, P.C.
BOSTON OFFICE
 Docketed By Practice Systems
 Action Code: Miss Requirement
 Base Date: 1/28/2000
 Due Date: 2/28/2000
 Deadline: 7/28/2000
 Initial: GAT